

JA



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/828,403	04/20/2004	Michael J. Joslyn	108298539US1	4535
25096	7590	02/03/2005	EXAMINER	
PERKINS COIE LLP			RACHUBA, MAURINA T	
PATENT-SEA				
P.O. BOX 1247			ART UNIT	PAPER NUMBER
SEATTLE, WA 98111-1247			3723	

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Applicati n N .

10/828,403

Applicant(s)

JOSLYN, MICHAEL J.

Examiner

M Rachuba

Art Unit

3723

-- The MAILING DATE of this c mmunication appears on the cover sheet with the corresp ndence address --

### P ri d for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disp sition of Claims

- 4) ☒ Claim(s) 3,4,14,15,25,26,32,46,47 and 56-58 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4,15,26,32 and 47 is/are allowed.
- 6) ☒ Claim(s) 3,14,25,46,56 and 57 is/are rejected.
- 7) ☒ Claim(s) 58 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Pri rity under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/20/04</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 3, 14, 25, 46, 56 and 57 are rejected under 35 U.S.C. 102(b) as being anticipated by Skrovan, 5,645,682. '682 discloses the claimed invention, including the solution dispenser including an elongated slot, column 6, lines 35-51.

***Allowable Subject Matter***

3. Claims 4, 15, 26, 32 and 47 are allowed.

4. Claim 58 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not disclose or fairly teach providing a planarizing machine comprising a table having a support surface: a processing pad on the support surface: a carrier assembly having a head configured to hold a microelectronic workpiece and a drive assembly carrying the head relative to the support surface, and a solution dispenser separate from the head; the solution dispensers being configured to discharge a planarizing solution onto a plurality of locations on the pad; wherein the solution dispenser comprises an elongated support over the pad at a location spaced

Art Unit: 3723

apart from a travel path of the head, a channel along at least a portion of the support through which a planarizing solution can flow, and a lip along at least a portion of the channel over which the planarizing solution can flow or alternatively a weir over which the planarizing solution can flow. '682, the closest art of record, does not disclose the use of a channel and lip or a weir. Further, the prior art does not disclose or fairly teach depositing a first flow of a planarizing solution from a dispenser directly onto a first region of the contact surface: and depositing a second flow of the planarizing solution from the dispenser directly onto a second region of the contact surface separate from the first region, wherein: the dispenser comprises a support, a first elongated slot along a first section of the support, and a second elongated slot along a second section of the support and depositing the flow of the planarizing solution comprises discharging planarizing solution through the first and second slots at a common flow rate, the first slot discharging the first flow and the second slot discharging the second flow. '682, the closest art of record, teaches a plurality of nozzles, each which deposits a flow onto first and second separate regions of the pad, but not first and second slots to perform the same function. '682 only teaches that a single elongated slot may be used.

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M Rachuba whose telephone number is (571) 272-4493. The examiner can normally be reached on Monday-Thursday from 8:30 AM to 3:30 PM.

Art Unit: 3723

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail, can be reached on (571) 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

M. Rachuba  
Primary Patent Examiner

A handwritten signature in black ink, appearing to be 'M. Rachuba', is written over the printed name and title.